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Message Text

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ACTION ARA-06

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H-01 /041 W
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O 121430Z AUG 76
FM AMEMBASSY MANAGUA
TO SECSTATE WASHDC IMMEDIATE 839

S E C R E T SECTION 1 OF 2 MANAGUA 3798

LIMDIS

E.O. 11652: GDS
TAGS: SHUM, PFOR, NU
SUBJECT: AMBASSADOR DISCUSSES HUMAN RIGHTS SITUATION WITH PRESIDENT SOMOZA

REF: (A) MANAGUA 3490, (B) MANAGUA 3686, AND (C) STATE A-3590

1. AT PRESIDENT SOMOZA'S REQUEST, I LUNCHED ALONE WITH HIM TODAY (AUGUST 10) IN HIS OFFICE. THE MEETING LASTED OVER TWO HOURS, AND WE DISCUSSED THE FOLLOWING RANGE OF TOPIECS: (A) HUMAN RIGHTS SITUATION IN NICARAGUA, (B) FATHER EVERISTO BERTRAND CASE, (C) U.S. SECURITY ASSISTANCE TO NICARAGUA, (D) US POSITION ON IDB LOAN TO FED AND, (E) EXIMBANK FINANCING OF US ROAD BUILDING EQUIPMENT. OUR DISCUSSION FOCUSED ON HUMAN RIGHTS ISSUES, THE SUBJECT OF THIS TELEGRAM. REPORTS ON THE OTHER TOPICS WILL BE SENT IN SEPARATE DISPATCHES TO THE DEPARTMENT.

2. THE CONVERSATION BEGAN WITH MY EXPRESSION OF SATISFACTION THAT THE PRESIDENT HAD APPOINTED GENERAL REYNALDO PEREZ VEGA TO MAINTAIN CLOSE COMMUNICATION WITH THE EMBASSY ON HUMAN RIGHTS ISSUES. I ADDED QYDT IT WAS OUR HOPE THAT THE GON WOULD MAKE AVAILABLE TO THE EMBASSY INFORMATION ON ALLEGED HUMAN RIGHTS ABUSES OF THE NATIONAL GUARD. IT WAS NECESSARY FOR US TO HAVE THE GOVERNMENT VIEWS, AND AVAILABLE INFORMATION ON THESE CHARGES, SO THAT THE EM-
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BASSY AND THE DEPARTMENT WERE ABLE TO ANSWER CONGRESSIONAL AND

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OTHER INQUIRIES WITH SOME DEPTH AND PERSEPECTIVE ON THE PROBLEM. IT WAS ALSO NECESSARY FOR THE PRESIDENT TO HELP US IN OUR EFFORT TO MAINTAIN OUR TRADITIONAL FRIENDLY RELATIONS.

3. THE PRESIDENT WAS INFORMED OF OUR CONCERN OVER THE HUMAN RIGHTS SITUATION IN NICARAGUA. I EXPLAINED THAT IT WASY MY RESPONSIBILITY TO BRING TO THE PRESIDENT'S ATTENTION THAT CONTINUING CHARGES OF HUMAN RIGHTS ABUSES, PARTICULARLY IN THE RIO BLANCO AREA, WERE PLACING AN INCREASING BURDEN ON OUR RELATIONS. WHATEVER THE PRECISE TRUTH OF THE CHARGES, THEY APPEARED TO BE INCREASING IN NUMBER, AND THE IMAGE OF THE GOVERNMENT, AT HOME AND ABROAD, HAD SUFFERED AS A RESULT. I POINTED OUT THAT THE EMBASSY HAD RECEIVED WHAT WE BELIEVE TO BE RELIABLE REPORTS CONCERNING MISTREATMENT OF PRISONERS, M GGOR TACTICS, AND DISAPPEARANCES OF PERSONS DETAINED BY THE NATIONAL GUARD. AGAIN, THE RIO BLANCO COMMAND SEEMED TO BE THE MAJOR SOURCE OF PROBLEMS TO THE GOVERNMENT. THE RIO BLANCO COMMAND APPEARS TO BE ACTING AGAINST THE PRESIDENT'S OWN INSTRUCTIONS TO EXERCISE RESTRAINT AND ALLEGATIONS OF MISTREATMENT OF PERSONS IMPRISONED OR DETAINED FOR INTERROGATION CONTINUED TO BE MADE.

4. SOMOZA REPLIED THAT THE RIO BLANCO AREA WAS AN ACTIVE ZONE OF FSLN INDOCTRINATION OF THE CAMPESINOS IN RECENT YEARS. HE SAID THAT 47 ARMED MEN HAD TAKEN OVER THE TOWN OF RIO BLANCO A FEW YEARS AGO. IT WAS A DANGEROUS AREA, AND THE NATIONAL GUARD HAD TO DEFEND ITSELF. HE DENIED THAT HE HAD ANY KNOWLEDGE OF HUMAN RIGHTS ABUSES OCCURING IN THAT AREA. IN RESPONSE, I SAID THAT WHATEVER WAS HAPPENING THERE, THE NATIONAL GUARD WAS THE SUBJECT OF WIDESPREAD CRITICISM BY MANY INDIVIDUALS AND GROUPS LIVING IN THE AREA. THE PRUDENT COURSE WOULD APPEAR TO BE FOR THE PRESIDENT TO KEEP WELL-INFORMED AND MAINTAIN TIGHT CONTROL OVER THAT COMMAND. SOMOZA EXPRESSED HIS GENERAL AGREEMENT.

5. SPEAKING FRANKLY, AND AS A FRIEND, I TOLD THE PRESIDENT THAT THE NATIONAL GUARD'S HANDLING OF INTERROGATIONS OF SUSPECTED FSLN COLLABORATORS SEEMED TO BE COUNTERPRODUCTIVE. NATIONAL GUARD PERSONNEL PICK UP PERSONS FOR INTERROGATION, AND THEY DISAPPEAR FROM SIGHT, OFTEN FOR PROLONGED PERIODS.THERE IS NO ESTABLISHED PROCEDURE FOR INFORMING THE FAMILIES AND FRIENDS OF PERSONS DETAINED AS TO THEIR WHEREABOUTS, NOR ARE NEXT OF KING ALLOWED TO

HAVE ACCESS TO THEM WHILE THEY ARE IN DETENTION. IT IS NATURAL THAT FAMILIES BECOME TERRIFIED, TURN TO THEIR PRIESTS, OR OTHERWISE REGISTER THEIR ANXIETY CONCERNING THE FATE OF THEIR LOVED ONES. UNTIL THEIR RELEASE BY THE NATIONAL GUARD, THE WORST FEARS ARE ENTERTAINED ABOUT THEIR TREATMENT BY THE GOVERNMENT. FAMILIES BECOME ANTAGONISTIC OR HOSTILE TO THE GOVERNMENT AND THE NATIONAL GUARD, AND ANTI-GOVERNMENT SENTIMENT SPREADS IN THE COUNTRYSIDE.

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6. IN A SMALL COUNTRY LIKE NICARAGUA, I CONTINUED, RUMORS AND ALLEGATIONS CONCERNING HUMAN RIGHTS ABUSES CIRCULATE FREELY. FURTHERMORE, NICARAGUA WAS NOT ISOLATED FROM THE REST OF THE WORLD. IN FACT, THERE ARE MANY FAMILY, BUSINESS, AND OTHER TIES BETWEEN NICARAGUA AND THE UNITED STATES, SO THAT WHATEVER HAPPENS HERE IS SOON KNOWN IN THE UNITED STATES. I MENTIONED THE CASE OF MR. JOSE DOLORES LAVO, FROM MATAGALPA, WHOSE DETENTION WHILE THE PRESIDENT WAS IN THE UNITED STATES WAS IMMEDIATELY RELAYED TO RELATIVES IN TENNESSEE. IN TURN, MR. LAVO'S RELATIVES CONTACTED THE STATE DEPARTMENT, THE NICARAGUTN AMBASSADOR IN WASHINGTON, MY EMBASSY, AND AT LEAST TWO U.S. CONGRESSMEN, IN A FRANTIC EFFORT TO DISCOVER MR. LAVO'S WHEREABOUTS AND ASSURE THAT HE WAS NOT BEING HARMED BY THE NATIONAL GUARD. IN THE END, MR. LAVO WAS RELEASED WITHOUT INCIDENT, BUT ONLY AFTER INVOLVING THE TIME AND ATTENTION OF MANY PEOPLE, AND RISKING FURTHER CHARGES OF ARBITRARY CONDUCT BY THE GON. I SUGGESTED THAT IF THE NATIONAL GUARD HAD FOLLOWED A HUMANE PROCEDURE OF INFORMING THE FAMILIES WHERE THEIR KIN ARE BEING DETAINED, PERMITTING ACCESS TO THEM BY THEIR RELATIVES, AND DEMONSTRATING THAT THEY WERE BEING TREATED PROPERLY, SUCH INCIDENTS NEED NOT OCCUR.

7. THE PRESIDENT POINTED OUT THAT THE GOVERNMENT WAS ACTING IN ACCORDANCE WITH MILITARY LAW IN HOLDING PERSONS INCOMMUNICATDO FOR LONG PERIODS. HOWEVER, HE DID ADMIT THAT IT WOULD BE "GOOD PUBLIC RELATIONS" TO INFORM FAMILIES WHERE THEIR RELATIVES ARE BEING HELD FOR INTERROGATION. HE DID NOT SAY THAT HE WOULD GIVE INSTRUCTIONS TO THAT EFFECT, BUT HE DID LEAVE ME WITH THE IMPRESSION THAT HE MIGHT TAKE ACTION. IT WAS REASONABLE TO PRESUME, I SAID, THAT SOME OF THE LOCAL FEARS ABOUT THE NATIONAL GUARD'S TREATMENT OF PRISONERS WOULD BE DISSIPATED IF FAMILIES WERE ABLE TO VISIT THEM.

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ACTION ARA-06

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8. IT WAS MY UNDERSTANDING, I TOLD THE PRESIDENT, THAT THE CATHOLIC EPISCOPAL CONFERENCE OF NICARAGUA SOON WAS GOING TO MAKE PUBLIC ANOTHER DECLARATION DEPLORING THE SITUATION OF HUMAN RIGHTS AND SOCIAL JUSTICE IN THE COUNTRY. I POINTED OUT THAT THE CAPUCHIN MISSIONERS' LETTER OF JUNE 13, 1976, HAD NOT BEEN ANSWERED BY THE PRESIDENT. NO INFORMATION ON MISSING PERSONS HAS BEEN REVEALED AS WAS PROMISED AND NO INVESTIGATION OF NATIONAL GUARD MISCONDUCT HAS BEEN UNDERTAKEN. THERE SEEMED TO BE A GENERAL FEELING WITHIN THE CHRUCH AND OUTSIDE THAT ABUSES HAD NOT DIMINISHED SINCE THAT TIME. ANOTHER STATEMENT CRITICAL OF THE GON AT THIS TIME IS UNFORTUNATE.

9. IT WOULD BE HELPFUL, I ADDED, IF THE GON WOULD RELEASE WHATEVER INFORMATION IT HAS ABOUT THE PERSONS NAMED IN THE CAPUCHIN MISSIONERS' LIST OF MISSING PERSONS. I REPEATED MY HOPE THAT SUCH INFORMATION WOULD BE RELEASED TO THE CAPUCHINS AND TO THE EMBASSY. SOMOZE WAS RESERVED AND NONCOMMITTAL.

10. FINALLY, I TOLD THE PRESIDENT THAT WE WERE AWARE THAT IT WOULD BE IMPOSSIBLE TO STOP POLITICALLY-MOTIVATED CHARGES AGAINST THE GON, SOME OF THEM RECKLESS ANDIRRESPONSIBLE. HOWEVER, THERE WAS INCREASING CRITICISM OF MODERATE CHURCH GROUPS ACTING OUT OF REASONS OF CONSCIENCE AND PASTORAL DUTY, THAT COULD NOT BE DISMISSED AS POLITICALLY-INSPIRED OR IRRESPONSIBLE. IT WAS OUR BELIEF

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THAT IT WAS IN THE INTEREST OF THE GON TO MITIGATE THE FEARS OF THIS SEGMENT OF THE NICARAGUAN COMMUNITY, TO ESTABLISH SOME PROCEDURE TO INFORM FAMILIES OF THE WHEREABOUTS OF THEIR KIN, TO STOP ALL MISTREATMENT OF THOSE INACARCERATED, BY PUNISHING THOSE RESPONSIBLE, AND TO CLOSELY CONTROL THE DEPARTMENTAL COMMANDS ACCUSED OF MISBEHAVIOR.

11. THE PRESIDENT LISTENED WITHOUT INTERRUPTION AS I UNDERLINED THE SERIOUSNESS OF THE SITUATION IN WHICH I THINK THE GON FINDS ITSELF IN. STRICTLY SPEAKING, I SAID, THE INCARCERATIONS AND ARRESTS OF NICARAGUANS WERE NONE OF MY CONCERN. NEVERTHELESS, THEY MADE AN UNFAVORABLE IMPRESSION ON MY FELLOW CITIZENS, THE NEWS MEDIA, AND THE U.S. CONGRESS. A FRIENDLY PUBLIC OPINION IN THE UNIED STATES WAS ESSENTIAL TO OUR FRIENDSHIP. I STRESSED THAT I WAS MAKING OUR POSITION CLEAR IN THE INTEREST OF MAINTAINING OUR TRADITIONAL, FRIENDLY RELATIONS.

12. THE PRESIDENT SAID THAT HE FULLY UNDERSTOOD OUR SITUATION AND

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THE PRESSURES THE USG WAS FACING. HE SAID THAT HE BELIEVED THAT
THE ANTI-SOMOZA GROUPS AND THE COMMUNISTS WERE TRYING TO MAKE
A TEST CASE OF NICARAGUA. THEY ARE ATTEMPTING TO SEE HOW FAR
"PRESSURE TACTICS" ON THE ADMINISTRATION WILL BE SUCCESSFUL IN
FORCING A CHANGE IN ADMINISTRATION POLICY TOWARDS NICARAGUA. IF
THEY ARE SUCCESSFUL, THEY WILL REDOUBLE THEIR EFFORTS. HE SAID
THAT HIS GOVERNMENT WAS "SANDWICHED" BETWEEN A U.S. ADMINISTRATION
FACING INTENSE CONGRESSIONAL PRESSURE ON HUMAN RIGHTS ISSUES AND
THE FSLN, WITH CUBAN SUPPORT, INVOLVED IN INSURGENCY INSIDE OF
NICARAGUA. IF THE GOVERNMENT TAKES MEASURES OF SELF-DEFENSE,
IT IS ACCUSED OF HUMAN RIGHTS ABUSES.

13. I ANSWERED BY SAYING THAT IT SEEMED THE PRUDENT COURSE TO
ACT IN SUCH A WAY IN THE COUNTERINSURGENCY CAMPAIGN SO AS TO NOT
BRING UNNECESSARY CRITICISM UPON THE GON, OR TO ALIENATE MORE
CAMPESINOS, THERBY PROVIDING MORE FERTILE GROUND FOR FSLN INDOC-
TRINATION. THE PRESIDENT SAID THAT HE HAD EVIDENCE THAT THE FSLN
WAS TRYING TO PROVOKE THE NATIONAL GUARD INTO ACTIONS AGAINST
INNOCENT CAMPESINOS, TO ADD TO THE DISCONTENT AND FEARS.

14. I LEFT A COPY OF THE ABRIDGED VERSION OF SECTION (J) OF THE
REPORT ON US SECURITY ASSISTANCE (REFTEL C) WITH THE PRESIDENT,
EXPLAINING THAT THIS WAS THE LATEST DEMONSTRATION OF THE DEPTH
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OF CONGRESSIONAL CONCERN ABOUT THE HUMAN RIGHTS SITUATION IN
COUNTRIES RECEIVING US SECURITY ASSISTANCE. I ALSO LEFT A COPY OF
SENATOR KENNEDY'S COMMENTS IN THE JULY 19 CONGRESSIONAL RECORD,
WHICH CARRIED AN ENGLISH TRANSLATION OF THE CAPUCHIN LETTER, AND
ATTACHMENTS. THE PRESIDENT THANKED ME FOR BRINGING THIS MATERIAL
TO HIS ATTENTION.

15. COMMENT: WHILE SOMOZA LISTENED RESPECTFULLY, AT NO TIME DID
HE CONVEY THE IMPRESSION THAT HE WAS PARTICULARLY DISTURBED OR
OR CONCERNED ABOUT THE RECENT ADVERSE DRIFT OF EVENTS. HE DID NOT
REACT TO OUR ENCOURAGEMENT THAT HE TAKE ACTION TO ATTENUATE, IF
NOT END, NATIONAL GUARD ABUSES AND REDUCE LOCAL TENSIONS, PARTI-
CULARLY WITH THE MISSIONARY AND OTHER CHURCH GROUPS. HE DID NOT
SHOW ANY SPECIAL CONCERN ABOUT NICARAGUA'S INTERNATIONAL IMAGE NOR
DID HE SEEM TO FULLY GRASP THE IMPORTANCE OF CREATING THE FRIENDLY
AMERICAN PUBLIC OPINION SO ESSENTIAL TO OUR GOOD RELATIONS. HE
SPOKE IN GENERALITIES AND WAS ILL-INFORMED ABOUT THE DETAILS OF
THE MOUNTING HUMAN RIGHTS CRITICISM OF HIS GOVERNMENT. HE CONTINUES
TO VIEW THE HUMAN RIGHTS PROBLEM AS A NATURAL RESULT OF THE COUN-
TER-INSURGENCY CAMPAIGN, WITH INTERNAL PACIFICATION TAKING PRECE-
DENCE OVER A SCRUPULOUS REGARD FOR THE TREATMENT OF FSLN SUSPECTS
OR COLLABORATORS. SOMOZA IS NOT BEING COMPLETELY FRANK WITH US,
AND HE SHOWS NO SIGNS OF BEING MORE FORTHCOMING WITH INFORMATION
ABOUT NATIONAL GUARD CLASHES WITH THE FSLN. HE ADMITTED AS MUCH
TODAY WHEN HE SAID HE WISHED TO AVOID ALARMING THE PUBLIC BY RE-

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LEASING ALL INFORMATION ON THE NATIONAL GUARD-FSLN CONTACTS. IT REMAINS TO BE SEEN, OF COURSE, IF THE GON RESPONDE TO OUR REQUESTS FOR ADDITIONAL INFORMATION AND CLARFICATION OF ALLEGED HUMAN RIGHTS ABUSES. BUT THIS MEETING DID NOTHING TO RAISE MY EXPECTATIONS.
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